



**IT IS ORDERED as set forth below:**

**Date: September 5, 2019**

A handwritten signature in black ink, reading "Paul W. Bonapfel".

**Paul W. Bonapfel  
U.S. Bankruptcy Court Judge**

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE:	)	CASE NO. 17-43019-PWB
	)	
SHARON DENISE APPLIN,	)	CHAPTER 13
	)	
Debtor.	)	
_____	)	
	)	
U.S. BANK TRUST NATIONAL	)	
ASSOCIATION, AS TRUSTEE OF	)	
THE TIKI SERIES III TRUST,	)	
	)	CONTESTED MATTER
Movant,	)	
	)	
vs.	)	
	)	
SHARON DENISE APPLIN, and	)	
MARY IDA TOWNSON, Trustee,	)	
	)	
Respondents.	)	
_____	)	

**ORDER GRANTING DELINQUENCY MOTION**

U.S. Bank Trust National Association, as Trustee of the Tiki Series III Trust, c/o SN Servicing Corporation, its servicing agent ("Movant"), filed a Motion for Relief from

Stay on March 8, 2019 (Doc. No. 22) on which a hearing was scheduled for April 3, 2019. Movant and Debtor entered into a Consent Order that was filed on April 9, 2019 (Doc. No. 24). Movant filed a Delinquency Motion and an Affidavit of Default on August 30, 2019 (Doc. No. 29) (collectively "Delinquency Motion") subsequent to a default by Debtor on the terms of the Consent Order. For good cause shown, it is hereby ORDERED AND ADJUDGED as follows:

1.

The Motion is hereby granted.

2.

The stay set forth in FBR 4001(a)(3) is hereby waived, and the automatic stay is hereby modified to permit Movant to pursue and enforce under non-bankruptcy law any and all rights it has in and to that certain real property as more particularly described in the subject loan documents and commonly known as 101 Shaw Street, Kingston, GA 30145 ("Real Property"), including, but not limited to, advertising and conducting a foreclosure sale, seeking confirmation of the foreclosure sale in order to pursue any deficiency, and seeking possession of the Real Property. However, Movant and/or its successors and assigns may offer, provide, and enter into a potential forbearance agreement, loan modification, refinance agreement, short sale, deed in lieu of foreclosure, or any other type of loan workout/loss mitigation agreement. Movant may contact Debtor via telephone or written correspondence to offer any such agreement.

3.

Upon entry of this Order, the Chapter 13 Trustee shall cease funding Movant's pre-petition claim. Upon completion of any foreclosure sale by Movant during the pendency of this case, all proceeds exceeding Movant's lawful debt that would otherwise be payable to Debtors shall be promptly remitted to the Chapter 13 Trustee. Movant is

granted leave to seek allowance of a deficiency claim, if appropriate, but Debtor and the Chapter 13 Trustee shall be entitled to object to said deficiency claim.

[END OF DOCUMENT]

PREPARED BY:  
Attorney for Movant

\_\_\_\_\_/s/\_\_\_\_\_  
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**DISTRIBUTION LIST ON ORDER**

Pursuant to LR 9013-3(c) NDGa., the Order shall be served upon the following parties in interest:

Marc E. Ripps, Esq.  
Attorney for Movant  
Via Electronic Notice

Mary Ida Townson, Esq.  
Chapter 13 Trustee  
Via Electronic Notice

Howard P. Slomka, Esq.  
Attorney for Debtor  
Via Electronic Notice

Sharon Denise Applin  
101 Shaw Street  
Kingston, GA 30145